



PATENT APPLICATION CS-8418 LeA 36.171

## ALGINITHE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF

HANNS-PETER MÜLLER ET AL

SERIAL NUMBER: 10/517,504

FILED: DECEMBER 10, 2004

TITLE: POWDER FORMULATIONS

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 1.97(b)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This disclosure statement under 37 CFR 1.97 & 1.98 is submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements.

Enclosed is a copy of the foreign document and each article listed on the attached Form PTO-1449.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 on 11/14/05

Raymond J. Harmuth, Reg. No. 33,896

Name of applicant, assignee on Registered Representative

November 14, 2005

Date

Concise statements of the presently understood relevance of each of the documents are found in the specification filed.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, that any document mentioned herein constitutes prior art, or that the documents listed severally or in any combination with one another or with any other information, are believed to render any claim in the subject application prima facie unpatentable.

Respectfully submitted,

Bv

Raymond J. Harmuth Attorney for Applicant(s)

Reg. No. 33,896

Bayer CropScience LP 100 Bayer Road Pittsburgh, Pennsylvania 15205-9741 (412) 777-3916 FACSIMILE PHONE NUMBER (412)777-3902 s:\bsh\RJH073 Form PTO 1449

U.S. Department of Commerce NoV 1 6 1000 AP Locket No ORIGINATION OF Serial No. ORIGINATION ORIGINATION OF SERIAL NO. ORIGINATION OF SERIAL NO. ORIGINATION ORIGINATION OF SERIAL NO. ORIGINATION OF SERIAL NO. ORIGINATION ORIGINATION OF SERIAL NO. ORIGINATION OF SERIAL NO. ORIGINATION ORIGINATION OF SERIAL NO. ORIGINATION ORIGINATION

|        | MINER  |        | DOCUMENT NUM  | IBER   | DA     | TE     | NAME                    | CLASS         | SUBCLASS | IF AF  | PRO-<br>ATE  |
|--------|--------|--------|---------------|--------|--------|--------|-------------------------|---------------|----------|--------|--------------|
| 1      | /C.B./ | AA     | 5,725,869     |        | 03/10  | /98    | Lo                      | 424           | 408      |        |              |
|        |        | AB     |               |        |        |        |                         |               |          |        |              |
|        |        | AC     |               |        |        |        |                         |               |          |        |              |
|        |        | AD_    |               |        |        |        |                         |               |          |        |              |
|        |        | AE     |               |        |        |        |                         |               |          |        |              |
|        |        | AF     |               |        |        |        |                         |               |          |        |              |
|        |        | AG     |               |        |        |        |                         |               |          |        |              |
|        |        | AH     |               |        |        |        |                         |               |          |        |              |
|        |        | AI     |               |        |        |        |                         |               |          |        |              |
|        |        | AJ     |               |        |        |        |                         |               |          |        |              |
|        |        | AK     |               |        |        |        |                         |               |          | 1      |              |
|        |        |        |               | F      | DREIG  | N PA   | TENT DOCUMENTS          |               |          |        |              |
|        |        | DOG    | CUMENT NUMBER | DA     | TE     |        | COUNTRY                 | CLASS         | SUBCLASS | TRANSL | ATION<br>No* |
| C.B./  | AL     | 01/17  | 347 A1        | 03/15/ | 01     | World  | abstract on             | ly            |          | 163    | ×            |
| C.B./  | AM     | **01/0 | 5223          | 01/25/ | 01     | World  |                         |               |          |        | 1            |
| C.B./  | AN     | **99/0 | 0013          | 01/07/ |        | World  |                         |               |          |        |              |
|        | AO     |        |               |        |        |        |                         |               |          |        |              |
|        | AP     |        |               |        |        |        |                         |               |          |        |              |
| C B /I |        | •      | OTHER PRIOR   | ART    | (Inclu | ding A | uthor, Title, Date, Per | tinent Pages. | Etc.)    |        |              |

|          | OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)                     |
|----------|--|
| /C.B./   | Kunststoffe, 85, (month unavailable) 1995, page 1550 and 1554, P.M. Gördes et al, "Styrol- |
| AR       | Acrylnitril-Copolymerisate (SAN)"  |
|          | Encycl. Polym. Sci. Eng., 1, (month unavailable) 1985, pages 452-470, Fred M. Peng,        |
| AS       | "SAN Copolymers"   |
| V        | Encycl. Polym. Sci. Eng., 16, (month unavailable) 1989 pages 38-39 "Styrene Polymers"      |
| AT       |  |
| EXAMINER | /Courtney Brown/ DATE CONSIDERED 06/04/2008  |

EXAMINER Initial if references considered, whether or not citation is in conformance with MPEP 609: Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.

Neither English Language Equivalent nor an English Language Translation is available. Copies of documents previously submitted by WIPO.

Sheet 2 of 3

|                 | Rev. 7-80 Patent and Transack Office  LIST OF PRIOR ART CITED BY APPLICANT  |                         |   |                  | CS-8418/LeA 36,171 10/517,504           |                  |                    |                                    |               |  |  |
|-----------------|---|-------------------------|---|------------------|---|------------------|--------------------|------------------------------------|---------------|--|--|
| LI:             |   | Several Sheets If Nec   |   |                  | Applicant<br>Hanns-Peter Müller et al   |                  |                    |                                    |               |  |  |
|                 | ,   |                         | ,,  |                  | Filing Date                             |                  | Group              |                                    |               |  |  |
|                 |   |                         |   |                  | December 10, 2004                       |                  |                    |                                    |               |  |  |
| EXAMINER        |   | r                       | <u> , , , , , , , , , , , , , , , , , , ,</u> | . PAIENI         | DOCUMENTS                               |                  |                    | EII INC                            | DATE          |  |  |
| INITIAL         | DOCUMENT NUM  |                         | IBER DATE                                     |                  | NAME                                    | CLASS            | SUBCLASS           | FILING DATE<br>IF APPRO-<br>PRIATE |               |  |  |
|                 | AA  |                         |   |                  |   |                  |                    |                                    |               |  |  |
|                 | AB  |                         |   | -                |   | 1                |                    | - · -                              |               |  |  |
|                 | AC  |                         |   |                  |   |                  |                    |                                    |               |  |  |
|                 | AD  |                         |   |                  |   |                  |                    |                                    |               |  |  |
|                 | AE  |                         |   |                  |   |                  |                    |                                    |               |  |  |
|                 | AF  |                         |   |                  |   | <u> </u>         |                    |                                    |               |  |  |
|                 | AG  |                         |   |                  |   |                  |                    |                                    |               |  |  |
|                 | AH  |                         |   |                  |   |                  | +                  | _                                  |               |  |  |
|                 | Al  |                         |   | -                |   | +                |                    | +                                  |               |  |  |
|                 | AJ  |                         |   |                  |   | -}               | +                  |                                    |               |  |  |
|                 | AK  |                         |   |                  |   |                  |                    |                                    |               |  |  |
|                 |   |                         | FORE  | IGN PATE         | NT DOCUMENTS                            | •                |                    | т                                  |               |  |  |
|                 | DOG   | CUMENT NUMBER           | DATE  |                  | COUNTRY                                 | CLASS            | SUBCLASS           | TRANSI                             | LATION<br>No* |  |  |
| AL              |   |                         |   |                  |   |                  |                    |                                    |               |  |  |
| AM              |   |                         |   |                  |   |                  |                    |                                    |               |  |  |
| AN              |   |                         |   |                  |   |                  |                    |                                    |               |  |  |
| AO              | -   |                         |   | -                |   |                  |                    |                                    |               |  |  |
| AP              |   |                         |   |                  |   |                  |                    |                                    |               |  |  |
| (0 th /         |   | OTHER PRIOR             | R ART (Incl                                   | uding Auth       | or, Title, Date, Pe                     | rtinent Pages    | , Etc.)            |                                    |               |  |  |
| /C.B./          | $\vdash$  | Encycl. Polym. Sc       | 31. Eng., 16                                  | (month un        | available) 1989, p                      | ages /2-/3, "    | Styrene Polyr      | ners"                              |               |  |  |
| An              | -   |                         |   | <u> </u>         | - · · · · · · · · · · · · · · · · · · · |                  |                    |                                    |               |  |  |
| H 40            | Ullmann's Encyclopaedia of Chemical Engineering, 4 <sup>th</sup> Ed., Vol. 19, (date unavailable) page 123-<br>AS 131, "Polymerisationstechnik" |                         |   |                  |   |                  |                    | 123-                               |               |  |  |
| AS              | Houben-Weyl "Methoden der Organischen Chemie" [Methods in Organic Chemistry] Vol. E20,  |                         |   |                  |   |                  |                    |                                    |               |  |  |
| ₩ AT            |   | Makromolekulare         | Stoffe [mad                                   | cromolecul       | ar substances], S                       |                  |                    |                                    |               |  |  |
| EXAMINER        | /Cour   | pages 980-984, A        | Echte, "C                                     | opolymeris       | ation"  I DATE CONSIDERE                | D 06/04/200      | 10                 |                                    |               |  |  |
|                 |   | ,                       |   |                  |   | 00/0 // 200      | , ,                |                                    |               |  |  |
| EXAMINER Initi  | ial if refe   | rences considered, who  | ether or not ci                               | itation is in co | informance with MPER                    | 609: Draw line t | hrough if not in c | onformance                         | and           |  |  |
| not considered. | n ICIUU9  | COPY OF THIS TOTTE WITH | HEAL COMMUN                                   | ъачон то арр     | MUCHIN.                                 |                  |                    |                                    |               |  |  |

Form PTO 1449

U.S. Departre

l Commerce

Neither English Language Equivalent nor an English Language Translation is available.
 Copies of documents previously submitted.

Sheet 3 of 3

U.S. Departm Form PTO 1449 Commerce Atty. Docket No Serial No. 10/517,504 Rev. 7-80 Patent and Tra ark Office CS-8418/LeA 36,171 LIST OF PRIOR ART CITED BY APPLICANT Applicant (Use Several Sheets If Necessary) Hanns-Peter Müller et al Filing Date Group

. . . . .

|                     |      |                 |            | December 10, 2004 |       | Group    |                                    |
|---------------------|------|-----------------|------------|-------------------|-------|----------|------------------------------------|
|                     |      |                 | U.S. PATER | IT DOCUMENTS      |       |          |                                    |
| EXAMINER<br>INITIAL |      | DOCUMENT NUMBER | DATE       | NAME              | CLASS | SUBCLASS | FILING DATE<br>IF APPRO-<br>PRIATE |
|                     | AA   |                 |            |                   |       |          |                                    |
|                     | АВ   |                 |            |                   |       |          |                                    |
|                     | AC   |                 |            |                   |       |          |                                    |
|                     | AD   |                 |            |                   |       |          |                                    |
|                     | AE   |                 |            |                   |       |          |                                    |
|                     | AF   |                 |            |                   |       |          |                                    |
|                     | AG   |                 |            |                   | 1     |          |                                    |
|                     | АН   |                 |            |                   |       |          |                                    |
|                     | AI   |                 |            |                   |       |          |                                    |
|                     | AJ   |                 |            |                   |       |          |                                    |
|                     | ایدا | (               |            |                   |       | 1        | 1                                  |

FOREIGN PATENT DOCUMENTS

|   |    | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSL<br>Yes | ATION<br>I No* |
|---|----|-----------------|------|---------|-------|----------|---------------|----------------|
|   | AL |                 |      |         |       |          |               |                |
|   | AM |                 |      |         |       |          |               |                |
|   | AN |                 |      |         |       |          |               |                |
| L | AO |                 |      |         |       |          |               |                |
|   | AP |                 |      |         |       |          |               |                |

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

|     |          | OTHER PRIOR ART (including Author, Title, Date, Pertinent Pages, Etc.)                      |
|-----|----------|---|
|     |          | - Winnacker Küchler Chemische Technologie [Chemical Engineering] 4th Ed., Vol. 6. (month    |
|     | AR ,     | unavailable) 1982, pages 879-381, Styror-Acryintrii-Copolymere"                             |
|     |          | SRI Report No. 29, (1966), R.G. Müller, pages 86, 87, 88, 89, 91 and 93                     |
|     | AS       | ·   |
|     |          | Ullmann's Encyclopedia of Industrial Chemistry IBSN 3-527-20100-9 and ISBN 3-527-20121-1,   |
|     | AT       | Verlag Chemnie, Weinhein, Vol A21, (month unavailable) 1992, pages 616-633 "Polystyrene and |
|     |          | Styrene Copolymers"   |
| EYA | MINED IO | DATE CONCIDENCE 116/11/20108  |

DATE CONSIDERED 06/04/2008 EXAMINER /Courtney Brown/

EXAMINER Initial if references considered, whether or not citation is in conformance with MPEP 609: Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.

Neither English Language Equivalent nor an English Language Translation is available. Copies of documents previously submitted by WIPO.

translation was not provided by Applicant.

References that are lined through were not considered because an English